

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

GIAN SINGH SAMBHI, *et al.*,

Plaintiffs,

v.

CIV 09-1053 MCA/KBM

HARPREET SINGH, *et al.*,

Defendants.

**ORDER GRANTING CERTAIN MOTIONS TO COMPEL**

THIS MATTER is before the Court certain of Defendant Harpreet Singh's Motions to Compel (*Docs. 264, 255 & 266*) which are now fully briefed. *See Docs. 290, 294 & 296* (Notices of Completion, respectively). The Court has reviewed the motions, memoranda and exhibits submitted by the parties, and finds that the motions are well taken and should be granted in part..

Plaintiffs complain that Defendant did not meet his obligation to confer with opposing counsel prior to filing the motions, and that the Court should deny all three motions on that ground. Plaintiffs argue that sending a "single letter" outlining "perceived deficiencies" in responses to discovery requests fails to satisfy the good faith requirements of FED. R. CIV. P. 37(a)(1). However, as shown by the exhibits attached to Defendant's motions, counsel for Harpreet Singh went beyond a single written communication. *See e.g., Doc. 266* at Exhibits A-F. The Court finds that Defendant Harpreet Singh met his discovery duty to meaningfully confer before filing these motions to compel.

Because Plaintiffs having failed to come forward with any alternative persuasive basis for denying the motions, they will be granted for the reasons set forth in Defendant's motions and briefs. The Court declines to award sanctions at this juncture, but cautions that if Plaintiffs serve anything less than full and complete responses by November 21, 2012, the Court may reconsider its decision on that issue.

Wherefore,

**IT IS HEREBY ORDERED** that Defendant's Motions to Compel (*Docs. 264, 265 & 266*) are hereby **granted in part**. No later than November 21, 2012, Plaintiffs shall serve on Defendant Harpreet Singh the following full and complete responses: Plaintiff Satnam Singh will answer as to Numbers 11 and 12 of Harpreet's Third Interrogatories and Request for Production, and both Plaintiffs Satnam Singh and Jetinder Singh will answer as to Numbers 7 and 8 of the Second Set of Interrogatories and Requests for Production addressed to each. In all other respects, the motion are **denied**.

  
UNITED STATES CHIEF MAGISTRATE JUDGE